

# CASA Conversations



California **CASA**  
Court Appointed Special Advocates  
FOR CHILDREN



*This project was generously  
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## "After 18" aka "Extended Foster Care" aka "AB12"

### Introduction

Youth who are living in foster care and approaching the age of 18 have some decisions to make. Will they go to school? Get a job? Where will they live? And how are they going to pay the bills?

These decisions get more complicated if the youth has a child, or medical or mental health disabilities.

CASA Advocates are in a great position to talk with the youth, hear their thoughts, and help guide them through the decision-making process.

Of course, the fact that this law is still relatively new means that mistakes can be made. It is important to know the basic facts of the Extended Foster Care program so that you can identify when more investigation is needed.

Remember, this is an exciting, and stressful time for your youth!

### The Facts

- Studies showed that the outcomes for youth leaving foster care were horrible. In 2011, a study showed that by age 23-24, 37% of youth who left foster care had been homeless or couch surfed; 42% of young men had been arrested; 75% of young women had been pregnant; and 24.4% did not have their high school diploma or GED.
- The federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P. L. 110-351) went into law in 2008, and allowed for federal foster care dollars to be spent on maintaining youth in foster care, up to age 21.
- AB12 (2011), and the laws that followed, allowed California to draw down these federal dollars, and set up an eligibility framework for when youth would be eligible for extended foster care benefits.

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- Now, youth who were in an out-of-home placement on their 18th birthday are eligible to receive certain extended foster care benefits as long as certain conditions are met. This is true of youth in dependency court, and in most instances for those in delinquency court.


A youth who is thinking about remaining in foster care past their 18th birthday has a lot to think about. As their CASA, you are a trusted adult who is in a position to be a guide, a sounding board, or just someone who can listen.

**Think for a moment about your own path to adulthood.** Was it an easy one? Did you know you were going to college? Did you have a family to support you?

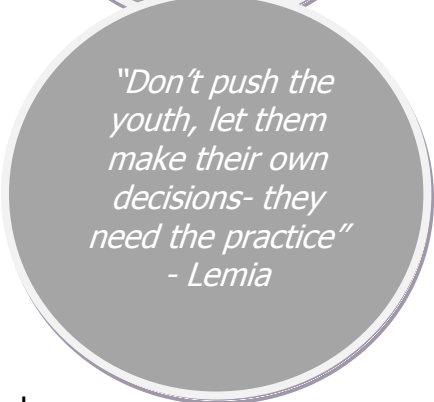
**Now think about your youth.** What options do they have? Are they eager to get out of the foster care system? They may be, especially if they had a difficult experience in foster care. Taking advantage of Extended Foster Care benefits may not be their first priority.

## Starting a Conversation

- First, understand that the youth may have been "dreaming" about getting out from under the foster care system for a long time. Ask them about their dreams- and listen.
- Don't assume you know what they are thinking. Ask questions, and listen.
- Some sample questions are:
  - Have you thought about what you want to do when you turn 18?"
  - What do you want to do?
  - What are your dreams?
  - Have you considered staying in foster care until age 21?
  - What about doing \_\_\_\_\_ ?
  - What are your concerns and/or fears – about staying in care, or about being on your own?
- Your thinking should include an understanding of the existing family connections, significant others, and important people in the youth's life. The youth may not know how to maintain relationships with loved ones if they were to move or go to college far away.



*"With a good support system, you can conquer the world!"*  
- David



*"Don't push the youth, let them make their own decisions- they need the practice"*  
- Lemia

## Re-Entry

If the youth does not want to stay in the foster care system, then all is not lost. Youth who are otherwise eligible for Extended Foster Care benefits, can leave foster care – and as long as they meet the conditions – the youth can petition the court to reenter foster care at a later time. They would need to enter into a Voluntary Reentry Agreement, and move into an approved placement. (See below for types of placements.)

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There is much to learn about the options that are available to youth after they turn 18. Eligibility and Housing options are a great place to start:

## Eligibility

If the youth wants to stay in foster care, or re-enter at a later time, they will have to show that they are trying to become independent (or have a documented medical or mental health reason why they cannot). The youth must:

1. Be in (or willing to be placed into) an approved placement. An "approved placement" means that the social worker has inspected the placement for basic safety, and approved the placement
2. Must have had a court order for out-of-home placement on their 18th birthday
3. Sign a mutual agreement, and meet with their social worker monthly

AND

4. Meet one of five conditions, the youth must:
  - a) Be attending high school, or be enrolled in a GED program
  - b) Be enrolled at least part-time in college or vocational school
  - c) Be working at least 80 hours a month,
  - d) Be participating in a program to help them find a job,
  - e) OR, have a documented medical (or mental health) condition that would make it difficult to meet one of the above conditions.

## Housing Options

It will be essential to discuss actual housing options with the youth. It may be the case that the youth has received misinformation from many sources. So, as a CASA, you should be working to understand the real possibilities, but also don't be afraid to dream a little with the youth. It is their life, after all, and while something may not be possible today, it is valuable to see where the youth thinks he or she is going.

The housing option for those over age 18, and who stay in extended foster care are:

- Home of a relative or NREFM
- Foster home (e.g. the same one, or a new one – through the county, FFA, or Regional Center)
- Group Home, (though only until age 19 with special circumstances, i.e. medical condition)
- THP+FC (Transitional Housing Placement Plus Foster Care) is a form of transitional housing, and can be in an apartment, etc.
- SILP (**S**upervised **I**ndependent **L**iving **P**lacement – where the youth lives in a setting of their choice, as long as it is approved by the social worker, and the youth gets (as of July 1, 2016) \$833 a month to support themselves.

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## Pitfalls to Avoid

- You can encourage wise choices, but you cannot force them. Guide the youth, and offer assistance and advice, but remember that it is their life, and part of life is making mistakes.
- Don't pretend you know all of the facts. If a question comes up as to eligibility, or something else, go seek the answer. CASA staff, the minor's attorney, and statewide experts are available to ensure that the youth is ready when the time comes to transition.
- Don't take no for an answer from service providers. Eligibility and other options are still new enough issues that even professionals can get it wrong – including the judge! So, if it is crucial, seek the written citation.
- Watch for landmines! For example, often professionals will tell the youth that they are going to get into THP+FC, but there are often not enough THP+FC placements available. The youth should not rely on this, unless it is an eminent reality.
- Remember that Extended Foster Care is an "opt-out" program. This means that the presumption is that the youth will stay in care unless they affirmatively chose to have their case dismissed.
- There is a growing trend for county agencies to refuse AB12 benefits to youth who are not fully participating in their case plan, or who have high needs. Therefore, if your youth has a mental health condition, make sure that the social worker is doing what they see to do to keep the case open.

*"A young person is always going to need caring adults to help them think things through" - Nef*

*"Don't always talk about the details, remember to talk about the big picture of what the youth wants, their vision" - Mariah*

## Additional Resources

### **Extended Foster Care, information on AB12:**

<http://www.cdss.ca.gov/inforesources/Foster-Care/Extended-Foster-Care-AB-12>

### **AB12 Primer, the most complete guide on AB12:**

<http://www.californiacasa.org/wp-content/uploads/2018/08/AB12-Primer-Jan-2014.pdf>

### **CDSS AB12 Fact Sheet:**

<http://www.childsworld.ca.gov/res/pdf/AB12FactSheet.pdf>

### **Videos to help discussions with youth:**

<https://www.youtube.com/user/After18CA>

### **THP+FC County Contact List:**

[http://www.childsworld.ca.gov/res/pdf/THP-PlusFC\\_CountyContacts.pdf](http://www.childsworld.ca.gov/res/pdf/THP-PlusFC_CountyContacts.pdf)

### **Midwest Study Report by Mark Courtney (2010):**

[http://www.californiacasa.org/wp-content/uploads/2018/08/18690-Midwest\\_Evaluation-Outcomes\\_at\\_Ages\\_23\\_and\\_24.pdf](http://www.californiacasa.org/wp-content/uploads/2018/08/18690-Midwest_Evaluation-Outcomes_at_Ages_23_and_24.pdf)

### **CalYouth Study by Mark Courtney (Longitudinal study of young adults making the transition from foster care to adulthood in California)**

<https://www.chapinhall.org/research/cal youth/>